

The attached Declaration is to be used for divisional application

Entitled: Nucleic Acid Accessible Hybridization Sites

Serial No.:

Filed: Herewith

Attorney Docket No. FORS-08793

This information is in accordance with 37 C.F.R. 1.63(d)(iv)

PATENT

Attorney Docket No.: FORS-08793

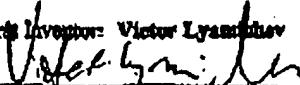
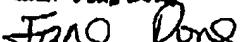
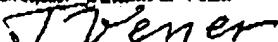
DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name. I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled Nucleic Acid Accessible Hybridization Sites, the specification of which was filed on 04/15/01 as Application Serial No. 09/852,948. I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, to the extent as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Serial No.	Filing Date	Abandoned
80/212,308	06/17/00	Patented, Pending or Abandoned
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>		
<p>Full Name of Sole or First Inventor: Victor Lyamkhev Inventor's Signature:  Residence: 2523 Carridale Court, Madison, WI 53711 Post Office Address: 2523 Carridale Court, Madison, WI 53711</p>		
<p>Date: 12/19/01 Citizenship: Russia</p>		
<p>Full Name of Second Joint Inventor: Michael Allard Inventor's Signature:  Residence: 33 Oakridge Court, #21, Madison, WI 53717 Post Office Address: 33 Oakridge Court, #21, Madison, WI 53717</p>		
<p>Date: 12/18/01 Citizenship: Jordan</p>		
<p>Full Name of Third Joint Inventor: Feng Dong Inventor's Signature:  Residence: 3050 West 10th Ave., Apt. #302, Englewood, CO 80220 Post Office Address: 3050 West 10th Ave., Apt. #302, Englewood, CO 80220</p>		
<p>Date: 12/21/01 Citizenship: People's Republic of China</p>		
<p>Full Name of Fourth Joint Inventor: Bynoe D. Neal Inventor's Signature:  Residence: 3714 Killman Plaza, Madison, WI 53711 Post Office Address: 3714 Killman Plaza, Madison, WI 53711</p>		
<p>Date: 12/18/01 Citizenship: United States of America</p>		
<p>Full Name of Fifth Joint Inventor: Tatjana L. Vener Inventor's Signature:  Residence: 6818 Offshore Drive, Madison, WI 53705 Post Office Address: 6818 Offshore Drive, Madison, WI 53705</p>		
<p>Date: 12/18/01 Citizenship: Russia</p>		

BEST AVAILABLE COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Victor Lyamichev *et al.*
Serial No.:
Filed:
Entitled: **Nucleic Acid Accessible Hybridization Sites**

Group No.:
Examiner:

POWER OF ATTORNEY BY ASSIGNEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Third Wave Technologies, Inc., as Assignee of record of the entire interest of the above-identified patent application, hereby appoints the members of the firm of MEDLEN & CARROLL, LLP, a firm composed of:

Tanya A. Arenson	(Reg. No. 47,391)	Robert A. Goetz	(Reg. No. 55,210)
Donald A. Baricevac	(Reg. No. 44,021)	Maha A. Hamdan	(Reg. No. 43,655)
Jason R. Bond	(Reg. No. 45,439)	Thomas C. Howerton	(Reg. No. 48,650)
Mary Ann D. Brow	(Reg. No. 42,363)	J. Mitchell Jones	(Reg. No. 44,174)
Thomas W. Brown	(Reg. No. 50,002)	Christine A. Lekutis	(Reg. No. 51,934)
Peter G. Carroll	(Reg. No. 32,837)	James C. Mason	(Reg. No. 50,255)
David A. Casimir	(Reg. No. 42,395)	David J. Wilson	(Reg. No. 45,225)

as its attorneys with full power of substitution to prosecute this application and transact all business in the Patent and Trademark Office in connection therewith.

Please direct all future correspondence and telephone calls regarding this application to:

Tanya A. Arenson
MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, California 94105

Telephone: 608/218-6900
Facsimile: 608/218-6910

I hereby certify that the Assignment document filed with the application, or filed subsequent to the filing date of the application, has been reviewed and I hereby certify that, to the best of my knowledge and belief, title is with Third Wave Technologies, Inc.

Dated: _____

By: _____

Lance Fors
President
Third Wave Technologies, Inc.
502 South Rosa Road
Madison, WI 53719